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U.S. DISTRICT COURT
AUGUSTA DIV.

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IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

CLERK *J. H. [Signature]*
S.D. OF GA.

IN RE: MORITZ D. HOLLOWAY,	*	Bankruptcy No. 09-30446
	*	
Debtor.	*	Chapter 7 proceedings
	*	
<hr/>		
JAY TAPLEY,	*	
	*	
Appellant,	*	
	*	
vs.	*	CIVIL ACTION NO.
	*	CV 315-076
TODD BOUDREAUX, et al.,	*	
	*	
Appellees.	*	

ORDER

On September 4, 2015, Appellant Jay Tapley, proceeding pro se, filed a notice of appeal from the United States Bankruptcy Court. On October 19, 2015, the Clerk of Court issued a briefing schedule that set the deadline for Appellant to file a brief on November 23, 2015, and served the notice on Appellant by United States mail. No brief has been filed.


On December 11, 2015, Appellee Todd Boudreaux filed a motion to dismiss the appeal for failure to prosecute. Appellant has responded that he has "filed every document timely required by statute," including a "Statement of Issues/Facts."

For whatever reason, Appellant has not realized or comprehended that an appellate brief must be filed that not only lists his Statement of Issues, but sets for the applicable law and facts of record that support his grounds for appeal. Nevertheless, Appellant's timely response that he believes he is in compliance precludes a finding that he has abandoned this appeal. Therefore, Appellee's motion to dismiss (doc. no. 6) is **DENIED**.

In showing some degree of leniency to this pro se litigant, Appellant shall be accorded another opportunity to file an Appellant's Brief. Appellant should refer to Federal Rule of Bankruptcy Procedure 8014(a) for a comprehensive description of what should be included in his brief.

Appellant's brief must be filed no later than February 11, 2016, or risk dismissal of his appeal for failure to prosecute.

ORDER ENTERED at Augusta, Georgia, this 11th day of January, 2016.


UNITED STATES DISTRICT JUDGE